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7

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 VONTEAK ALEXANDER,

14 Defendant.  
15

Case No. 2:17-cr-072-RFB

**MOTION TO CONTINUE RESPONSE  
TO OBJECTION TO SUBPOENA**

**(Expedited Treatment Requested)**

16 Certification: This motion is timely filed.

17 The defendant, Vontek Alexander, by and through his counsel of record, Rachel Korenblat,  
18 Assistant Federal Public Defender, moves this Honorable Court for an order to continue  
19 Mr. Alexander's date to respond to the County of Alameda, Social Services Agency, Department of  
20 Children and Family Services' Objection to Subpoena until December 5, 2017. This motion is based  
21 on the following Memorandum of Points and Authorities, and all filings to date.

22 DATED this 27<sup>th</sup> day of November, 2017.

23 RENE VALLADARES  
24 Federal Public Defender

25 By: /s/ Rachel Korenblat  
26 RACHEL KORENBLAT,  
Assistant Federal Public Defender  
Attorney for Vontek Alexander

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 On February 28, 2017, the grand jury in the District of Nevada charged Mr. Alexander with one  
3 count of Conspiracy to Commit Sex Trafficking, in violation of 18 U.S.C. § 1594(c), one count of Sex  
4 Trafficking, in violation of 18 U.S.C. §§ 1591(a)(1), (a)(2), (b)(2), (c) and 2, one count of Conspiracy  
5 to Transport for Prostitution or Other Criminal Sexual Activity, in violation of 18 U.S.C. § 1594(c), one  
6 count of Transport for Prostitution or Other Criminal Sexual Activity, in violation of 18 U.S.C. §§  
7 2423(a), 2, and one count of Coercion and Enticement, in violation of 18 U.S.C. § 2422(b) (the  
8 “Indictment”). ECF No. 1.

9 Based on the parties’ joint motion, on August 16, 2017, this Court ordered the California Child  
10 Protective Services (“CPS”), among other entities, to produce to the U.S. Attorney’s Office and the  
11 Federal Defender’s Office certain records concerning A.B.W., the alleged victim in this case within two  
12 weeks of the date of the order. ECF No. 39 (sealed motion and signed order). The government  
13 represented to the undersigned that it would serve all of the parties subject to this order: the California  
14 Department of Juvenile Justice, the Superior Court of California, County of Alameda, California  
15 Juvenile Justice Court, and California CPS. The government, however, served all of the parties except  
16 California CPS.

17 When the undersigned became aware CPS was not served, the Federal Public Defender’s Office  
18 served California CPS on October 16, 2017. Sealed Exhibit A, attached hereto. (Sealed subpoena).  
19 The subpoena attached the Court order, which provided that disclosure was due within two weeks of  
20 the order. Ex. A at pp. 6-10. Because that time had passed, Attachment A to the subpoena provided a  
21 deadline of November 1, 2017. *Id.* at p. 3.

22 After November 1, 2017, the undersigned contacted an attorney for CPS because the entity had  
23 not complied with the subpoena. The attorney explained she thought the response date was December  
24 19, 2017. *See* Ex. A at p. 2. The undersigned explained that December 19 was the trial date, not the  
25 due date for the subpoena. Nevertheless, the attorney stated that CPS was going to object to producing  
26 records by November 15, 2017. Because CPS had not filed any objections or moved to quash the

1 subpoena by that date, on November 17, 2017, Mr. Alexander filed a Motion to Compel. ECF No. 77.  
2 On November 20, 2017, the Court granted Mr. Alexander's Motion to Compel by ordering CPS to  
3 comply with the subpoena or show cause by December 4, 2017. ECF No. 81.

4 On November 21, 2017, the Court docketed an objection by CPS's counsel as a response to  
5 Mr. Alexander's Motion to Compel. ECF No. 82. Pacer then automatically set a reply date by  
6 November 28, 2017. *Id.* Because the Court had previously granted Mr. Alexander's Motion to Compel,  
7 *see* ECF No. 81, the objection appears to be more of a stand-alone filing showing cause why CPS will  
8 not comply with the Court's orders than a response to a motion.

9 Because CPS raises arguments as to why it will not comply with the Court's previously issued  
10 orders, and the intervening holiday weekend, Mr. Alexander requests the Court allow Mr. Alexander to  
11 file a response to CPS's objection by December 5, 2017.

12 **Conclusion**

13 For the above reasons, Mr. Alexander respectfully requests the Court order that Mr. Alexander's  
14 response to CPS's Objection to the Subpoena is due by December 5, 2017.

15 DATED this 27th day of November, 2017.

16 Respectfully Submitted,

17 RENE VALLADARES  
18 Federal Public Defender

19 ORDER

20 IT IS SO ORDERED.

21   
22 RICHARD F. BOULWARE, II  
23 United States District Judge

By: /s/ Rachel Korenblat  
RACHEL KORENBLAT,  
Assistant Federal Public Defender  
Attorney for Vontek Alexander

24 DATED: November 30, 2017.

**Index of Exhibit**

A	Sealed Served Subpoena
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